

State of South Dakota

EIGHTIETH LEGISLATIVE ASSEMBLY, 2005

400L0270

HOUSE BILL NO. 1025

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority and the
2 Board of Regents to implement the long-term capital project request of the Board of
3 Regents, providing for the construction, remodeling, or renovation of various structures on
4 the campuses of the state's universities and the School for the Deaf, to make appropriations
5 therefor, and to repeal certain previous capital project authorizations.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

7 Section 1. It is in the public interest that the South Dakota Building Authority contract for
8 the construction, completion, furnishing, equipping, and maintaining of, including heating, air
9 conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping,
10 architectural and engineering services, asbestos abatement, removal of existing roofing and
11 structures, and such other services or actions as may be required to accomplish the projects
12 enumerated in section 3 of this Act, all at the estimated cost of one hundred million eight
13 hundred thousand dollars. The South Dakota Building Authority may finance up to sixty-five
14 million one hundred thousand dollars of the construction costs through the issuance of revenue
15 bonds, in accordance with this Act and chapter 5-12.

16 Section 2. In addition to those projects approved in section 1 of this Act, the Board of



1 Regents may contract for the construction, completion, furnishing, equipping, and maintaining
2 of, including heating, air conditioning, plumbing, water, sewer, electric facilities, architectural
3 and engineering services, asbestos abatement, removal of existing roofing and structures, and
4 such other services as may be required to accomplish the projects enumerated in section 4 of this
5 Act, all at the estimated cost of one million sixty-eight thousand eight hundred and nine dollars.

6 Section 3. The projects authorized in section 1 of this Act, to be financed, in whole or in
7 part, through the issuance of revenue bonds by the South Dakota Building Authority, are the
8 following:

- 9 (1) The Woodburn Hall renovation at Black Hills State University in Spearfish, South
10 Dakota, for an estimated cost of five million four hundred thousand dollars;
- 11 (2) The utility infrastructure renovation at Dakota State University in Madison, South
12 Dakota, for an estimated cost of three million dollars;
- 13 (3) The Lincoln Hall and Graham Hall renovation at Northern State University in
14 Aberdeen, South Dakota, for an estimated cost of three million dollars;
- 15 (4) The chemistry building replacement at the South Dakota School of Mines and
16 Technology In Rapid City, South Dakota, for an estimated cost of sixteen million
17 dollars, of which no more than ten million dollars may be financed through the
18 issuance of revenue bonds;
- 19 (5) The Shepard Hall renovation or replacement space at South Dakota State University
20 in Brookings, South Dakota, for an estimated cost of thirty million dollars, of which
21 no more than twenty-four million dollars may be financed through the issuance of
22 revenue bonds;
- 23 (6) The classroom building construction at USDSU in Sioux Falls, South Dakota, for an
24 estimated cost of seven million dollars;

- 1 (7) The graduate education and research center construction at USDSU in Sioux Falls,
2 South Dakota, for an estimated cost of fifteen million dollars, of which no more than
3 two million dollars may be financed through the issuance of revenue bonds;
- 4 (8) The Slagle Hall renovation at the University of South Dakota in Vermillion, South
5 Dakota, for an estimated cost of six million six hundred thousand dollars, of which
6 no more than four million six hundred thousand dollars may be financed through the
7 issuance of revenue bonds; and
- 8 (9) The business school replacement at the University of South Dakota in Vermillion,
9 South Dakota, for an estimated cost of fourteen million one hundred thousand
10 dollars, of which no more than five million four hundred thousand dollars may be
11 financed through the issuance of revenue bonds.

12 Section 4. The projects authorized in section 2 of this Act are the following:

- 13 (1) The construction of an addition to the Pugsley Continuing Education Center at South
14 Dakota State University in Brookings, South Dakota, for an estimated cost of five
15 hundred two thousand two hundred eighty-nine dollars from other funds made
16 available to the university from donations for its early childhood development
17 program; and
- 18 (2) The renovation of the Myklebust Recreational Center at the South Dakota School for
19 the Deaf in Sioux Falls, South Dakota, for an estimated cost of five hundred sixty-six
20 thousand five hundred twenty dollars, of which five hundred sixteen thousand five
21 hundred twenty dollars (\$516,520) are appropriated from other funds available to the
22 School for the Deaf and fifty thousand dollars (\$50,000) are appropriated from
23 moneys allocated to this project by the Bureau of Administration from the statewide
24 maintenance and repair fund established in § 5-14-30.

1 Section 5. The authorizations granted under section 1 of this Act, and all necessary
2 appropriations required to finance and to complete such projects, remain effective through
3 June 30, 2015. However, no bonds may be issued under the authority of this Act if such issuance
4 would violate the restriction established in § 13-51-2.

5 Section 6. All cost estimates contained in this Act have been stated in terms of 2004 values.
6 The Building Authority and the Board of Regents may adjust such cost estimates to reflect
7 inflation as measured by the Building Cost Index reported by the Engineering News Record. The
8 amount of bonded indebtedness authorized in section 1 of this Act is not subject to such
9 adjustment.

10 Section 7. No indebtedness, bond, or obligation incurred or created under the authority of
11 this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor
12 against the property or funds of the State of South Dakota within the meaning of the
13 Constitution or statutes of the state.

14 Section 8. The Building Authority and the Board of Regents may accept, transfer, and
15 expend any property or funds obtained for these purposes from federal sources, gifts,
16 contributions, or any other source, all of which shall be deemed appropriated to the projects
17 authorized by this Act in addition to the amounts otherwise authorized by this Act.

18 Section 9. The administration of the design and construction of the projects authorized in
19 this Act shall be under the general charge and supervision of the Bureau of Administration as
20 provided in chapter 5-14. The executive director of the Board of Regents and the executive
21 secretary of the Building Authority, or their designees, shall approve vouchers and the state
22 auditor shall draw warrants to pay expenditures authorized by this Act.

23 Section 10. The Board of Regents may make and enter into a lease agreement with the
24 Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12,

1 from the higher education facilities fund for the purposes of this Act.

2 Section 11. That subdivision (9) of section 3 of chapter 95 of the 2001 Session Laws be
3 repealed.

4 ~~— (9) — The Shepard Hall renovation or replacement space at the South Dakota State~~
5 ~~University in Brookings, South Dakota, for an estimated cost of twenty million~~
6 ~~dollars of which no more than eleven million eight hundred thousand dollars may be~~
7 ~~financed for the Shepard Hall renovation or replacement space through the issuance~~
8 ~~of revenue bonds.~~

9 Section 12. That subdivision (2) of section 4 of chapter 95 of the 2001 Session Laws be
10 repealed.

11 ~~— (2) — The new business school at the University of South Dakota in Vermillion, South~~
12 ~~Dakota, for an estimated cost of twelve million eight hundred thousand dollars which~~
13 ~~may be funded from federal sources and private donations;~~

14 Section 13. That subdivision (5) of section 4 of chapter 95 of the 2001 Session Laws be
15 repealed.

16 ~~— (5) — The Slagle Auditorium renovation at the University of South Dakota in Vermillion,~~
17 ~~South Dakota, for an estimated cost of three million five hundred thousand dollars~~
18 ~~which may be funded from federal sources and private donations.~~